

Steven M. Ruben  
Appl. No. 10/662,429



# American Type Culture Collection

FF261

12301 Parklawn Drive • Rockville, MD 20852 USA • Telephone: (301) 231-5520 Telex: 898-055 ATCCNORTH • FAX: 301-770-2587

## BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

### INTERNATIONAL FORM

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 8  
AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.2

RECEIVED

FEB 27 1996

To: (Name and Address of Depositor or Attorney)

HGS PATENT DEPT.

Human Genome Sciences, Inc.  
Attn: Robert H. Benson  
9410 Key West Avenue  
Rockville, MD 20850

Deposited on Behalf of: Human Genome Sciences, Inc.

Identification Reference by Depositor:

ATCC Designation

DNA Plasmid, 413412

97448 FF261

The deposit was accompanied by:     a scientific description     a proposed taxonomic description indicated above.

The deposit was received February 20, 1996 by this International Depository Authority and has been accepted.

#### AT YOUR REQUEST:

☒ We will inform you of requests for the strain for 30 years.

The strain will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strain, and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said strain.

If the culture should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace it with living culture of the same.

The strain will be maintained for a period of at least 30 years from date of deposit, or five years after the most recent request for a sample, whichever is longer. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the culture cited above was tested February 23, 1996. On that date, the culture was viable.

International Depository Authority: American Type Culture Collection, Rockville, Md. 20852 USA

Signature of person having authority to represent ATCC:

  
Barbara M. Hailey, Administrator, Patent Depository

Date: February 23, 1996

Ruben EXHIBIT #42

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BP411



# American Type Culture Collection

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## BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

### INTERNATIONAL FORM

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 3  
AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.2

RECEIVED

FEB 27 1996

To: (Name and Address of Depositor or Attorney)

HGS PATENT DEPT.

Human Genome Sciences, Inc.  
Attn: Robert H. Benson  
9410 Key West Avenue  
Rockville, MD 20850

Deposited on Behalf of: Human Genome Sciences, Inc.

Identification Reference by Depositor:

ATCC Designation

DNA Plasmid, 413412

97448 PF261

The deposit was accompanied by: \_\_\_ a scientific description \_\_\_ a proposed taxonomic description indicated above.

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International Depository Authority: American Type Culture Collection, Rockville, Md. 20852 USA

Signature of person having authority to represent ATCC:

  
Barbara M. Hailey, Administrator, Patent Depository

Date: February 23, 1996

Ruben EXHIBIT 2042  
Ruben v. Wiley et al.  
Interference No. 105,077  
RX 2042

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# American Type Culture Collection

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BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF  
THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

## INTERNATIONAL FORM

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.5  
AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.2

RECEIVED

FEB 27 1996

To: (Name and Address of Depositor or Attorney)

Human Genome Sciences, Inc.  
Attn: Robert H. Benson  
9410 Key West Avenue  
Rockville, MD 20850

HGS PATENT DEPT.

Deposited on Behalf of: Human Genome Sciences, Inc.

Identification Reference by Depositor:

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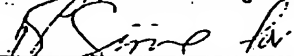
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